

**FORTY-SIXTH LEGISLATIVE DAY  
THURSDAY, FEBRUARY 23, 2006**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused -- Black, Field (23), Wood. Total -- 3.  
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Emily Frecker, Page.

**Approval of Journal**

February 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-fifth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

February 22, 2006

Mr. Speaker:

I transmit herewith **S 1270, S 1334, S 1345, S 1336, S 1312, S 1355, S 1365, S 1370, S 1363, S 1295, S 1360, S 1348, S 1362, S 1375, and S 1347** which have passed the Senate.

WOOD, Secretary

**S 1270, S 1334, S 1345, S 1336, S 1312, S 1355, S 1365, S 1370, S 1363, S 1295, S 1360, S 1348, S 1362, S 1375, and S 1347** were filed for first reading.

February 22, 2006

Mr. Speaker:

I return herewith **HCR 34** which has passed the Senate.

WOOD, Secretary

**HCR 34** was referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

February 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 48, HCR 49, HCR 50, HJM 17, HP 6, H 714, H 715, H 716, H 717, H 718, H 719, H 720, H 721, H 722, H 723, and H 724.**

FIELD(18), Chairman

**HCR 48, HCR 49, HCR 50, and H 719** were referred to the Health and Welfare Committee.

**HJM 17, H 715, and H 716** were referred to the Judiciary, Rules, and Administration Committee.

**H 714, H 722, and H 723** were referred to the Business Committee.

**H 718** was referred to the State Affairs Committee.

**H 720** was referred to the Revenue and Taxation Committee.

**H 721** was referred to the Resources and Conservation Committee.

**H 724** was referred to the Local Government Committee.

**HP 6 and H 717** were filed for second reading.

February 23, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 10 and HJM 11.**

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HJM 10 and HJM 11**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 20, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 611** and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

**H 611** was placed on General Orders for consideration.

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 485** and recommend that it do pass.

CROW, Chairman

**H 485** was filed for second reading.

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **S 1315** and recommend that it do pass.

BARRETT, Chairman

**S 1315** was filed for second reading.

## Motions, Memorials, and Resolutions

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 656** and report it back with amendments attached to be placed on General Orders for consideration.

BARRETT, Chairman

**H 656** was placed on General Orders for consideration.

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 602** and **H 692** and recommend that they do pass.

WOOD, Chairman

**H 602** and **H 692** were filed for second reading.

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 610** and report it back without recommendation.

WOOD, Chairman

**H 610** was filed for second reading.

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 593**, **H 594**, and **H 599** and recommend that they do pass.

FIELD(23), Chairman

**H 593**, **H 594**, and **H 599** were filed for second reading.

February 22, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 615** and recommend that it do pass.

BLOCK, Chairman

**H 615** was filed for second reading.

February 23, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 673**, **H 694**, and **H 695** and recommend that they do pass.

DEAL, Chairman

**H 673**, **H 694**, and **H 695** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

House of Representatives  
State of Idaho

February 21, 2006

The Honorable JoAn Wood  
Chairman, Transportation and Defense Committee

Dear Representative Wood:

I hereby designate the Transportation and Defense Committee a privileged committee for the purpose of introducing RS 16095C1 on Thursday, February 22, 2006.

Sincerely,  
/s/ BRUCE NEWCOMB  
Speaker of the House

The letter was ordered filed in the Office of the Chief Clerk.

**HOUSE CONCURRENT RESOLUTION NO. 51**  
**BY STATE AFFAIRS COMMITTEE**  
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE, ENCOURAGING THE DEPARTMENT OF HEALTH AND WELFARE TO CONTRACT WITH A LIMITED NUMBER OF PROVIDERS OF CERTAIN MEDICAID PRODUCTS AND SERVICES AND TO SEEK ADDITIONAL OPPORTUNITIES FOR CONSOLIDATED PURCHASING AND REQUESTING A REPORT TO THE LEGISLATURE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Medicaid Program in the state of Idaho is unsustainable in its current form and should be reformed so that eligibility, benefits and delivery systems match client health needs; and

WHEREAS, limiting the number of contracts between the Idaho Department of Health and Welfare and suppliers of certain health-related products and services will increase the purchasing power of public funds and may provide opportunities to control quality; and

WHEREAS, selective contracting is a standard health management tool employed by the private health financing sector.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature of the State of Idaho encourages the Department of Health and Welfare to contract with a limited number of providers of certain Medicaid products and services including, but not limited to, dental services, transportation brokers and durable medical equipment such as incontinence supplies.

BE IT FURTHER RESOLVED that the Legislature encourages the Department of Health and Welfare to seek additional opportunities for consolidated purchasing.

BE IT FURTHER RESOLVED that the Legislature

acknowledges that this initiative will require approval of the federal Centers for Medicare and Medicaid Services (CMS) prior to implementation.

BE IT FURTHER RESOLVED that the Department of Health and Welfare is requested to report the results of such programs to the First Regular Session of the Fifty-ninth Idaho Legislature along with recommendations for any further legislative action.

**HOUSE CONCURRENT RESOLUTION NO. 52**  
**BY STATE AFFAIRS COMMITTEE**  
 A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE DEPARTMENT OF HEALTH AND WELFARE TO PROCEED WITH DEVELOPMENT OF A LONG-TERM CARE OPTIONS COUNSELING PROGRAM AS PART OF THE PLANNED AGING RESOURCE CENTER INITIATIVE AND REQUESTING A REPORT TO THE LEGISLATURE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Medicaid Program in the state of Idaho is unsustainable in its current form and should be reformed so that eligibility, benefits and delivery systems match client health needs; and

WHEREAS, Medicaid financed long-term care is one of the most expensive Medicaid benefits and contributes to rapidly increasing Medicaid costs; and

WHEREAS, the use of reverse mortgages and similar vehicles for seniors to finance their own long-term care promotes individual responsibility for long-term care costs and avoids the need for publicly funded support; and

WHEREAS, long-term care options counseling promotes alternatives to Medicaid financed long-term care and greater consistency of advice to Idaho seniors.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Department of Health and Welfare is encouraged to proceed with the development of a Long-Term Care Options Counseling Program.

BE IT FURTHER RESOLVED that the Legislature encourages the Department of Health and Welfare to develop this program as part of the planned Aging Resource Center Initiative. The Legislature further encourages the Department of Health and Welfare to provide that, except for necessary personnel and operating costs excluded by the grant, this initiative be funded by a federal grant award.

BE IT FURTHER RESOLVED that the Department of Health and Welfare is requested to report the results of this program change to the First Regular Session of the Fifty-ninth Idaho Legislature along with recommendations for any further legislative action.

**HOUSE CONCURRENT RESOLUTION NO. 53**  
**BY STATE AFFAIRS COMMITTEE**  
 A CONCURRENT RESOLUTION  
 STATING FINDINGS OF THE LEGISLATURE AND

ENCOURAGING THE DEPARTMENT OF HEALTH AND WELFARE TO REQUIRE INDIVIDUALS ELIGIBLE FOR MEDICARE PARTS A, B AND D TO ENROLL IN MEDICARE AS A CONDITION OF ELIGIBILITY FOR THE IDAHO MEDICAID PROGRAM AND REQUESTING THE DEPARTMENT TO REPORT TO THE LEGISLATURE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Medicaid Program in the state of Idaho is unsustainable in its current form and should be reformed so that eligibility, benefits and delivery systems match client health needs; and

WHEREAS, a number of Idaho Medicaid recipients who are eligible for Medicare coverage are not enrolled in the Medicare Program; and

WHEREAS, the state of Idaho will pay the Medicare premiums, deductibles and copayments (except for Part D) for these individuals with low income and/or special needs and who are eligible for Medicare; and

WHEREAS, there would be a reduction in the use of state general funds to provide, at a minimum, the same level of benefits for these individuals that they currently receive.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature of the State of Idaho encourages the Department of Health and Welfare to pursue changes in the Idaho Medicaid Program that would require individuals eligible for Medicare Parts A, B and D to enroll in Medicare as a condition of eligibility for the Idaho Medicaid Program.

BE IT FURTHER RESOLVED that the Department of Health and Welfare is requested to report the results of this encouraged program change to the First Regular Session of the Fifty-ninth Idaho Legislature along with recommendations for any further legislative action.

**HCR 51, HCR 52, and HCR 53** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Denney moved that the following persons be approved as attaches to serve the House of Representatives for and during the Second Regular Session of the Fifty-eighth Idaho Legislature. Seconded by Ms. Jaquet

Pages:

Kevin Andrus  
 Laci Cameron  
 Jessi Cooper  
 Carl Dayton  
 Emily Frecker

Michael Kelsey  
 Brock Larsen  
 Lyndsey Vincent  
 Ellie Wladyka

Whereupon the Speaker declared the motion carried by voice vote and administered the oath of office to the above named attaches.

**Introduction, First Reading, and Reference**

**of Bills and Joint Resolutions**

**HOUSE BILL NO. 725  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO JUNIOR COLLEGES; AMENDING THE CHAPTER HEADING OF CHAPTER 21, TITLE 33, IDAHO CODE; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2101, IDAHO CODE, TO PROVIDE FOR THE ESTABLISHMENT OF COMMUNITY COLLEGES BY THE STATE BOARD OF EDUCATION AND BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO; AMENDING SECTION 33-2101, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE PROPER TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 33-2101A, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO DELETE A CODE REFERENCE.

**HOUSE BILL NO. 726  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO INCOME TAX CREDITS; AMENDING SECTION 63-3029C, IDAHO CODE, TO PROVIDE A STATE INCOME TAX CREDIT FOR CHARITABLE CONTRIBUTIONS MADE TO PROJECT P.A.T.C.H., PLANNED ASSISTANCE FOR TROUBLED CHILDREN; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 727  
BY TRANSPORTATION AND DEFENSE COMMITTEE  
AN ACT**

RELATING TO TITLING OF SALVAGE VEHICLES; AMENDING SECTION 49-524, IDAHO CODE, TO DELETE THE AGE AND MARKET VALUE LIMITATIONS RELATING TO OBTAINING A SALVAGE CERTIFICATE OF OWNERSHIP FOR A SALVAGE VEHICLE; AND AMENDING SECTION 49-525, IDAHO CODE, TO PROVIDE A PROCEDURE FOR OBTAINING A BRANDED CERTIFICATE OF TITLE FOR A VEHICLE WHICH IS MORE THAN FIVE YEARS OLD AND WHICH HAS A KNOWN MARKET VALUE OF SIX THOUSAND DOLLARS OR LESS WHICH HAS BEEN DETERMINED TO BE A SALVAGE VEHICLE AND WHICH IS NOT REQUIRED TO BE INSPECTED BY THE IDAHO TRANSPORTATION DEPARTMENT.

**HOUSE BILL NO. 728  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO LAND REMEDIATION; AMENDING SECTION 39-7202, IDAHO CODE, TO PROVIDE ADDITIONAL LEGISLATIVE FINDINGS; AMENDING SECTION 39-7203, IDAHO CODE, TO DEFINE ADDITIONAL TERMS; AMENDING CHAPTER 72, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-7211, IDAHO CODE, TO PROVIDE FOR THE IDAHO COMMUNITY REINVESTMENT PILOT

INITIATIVE, TO PROVIDE FOR THE IDAHO COMMUNITY REINVESTMENT PILOT INITIATIVE FUND, TO PROVIDE FOR FINANCIAL ASSISTANCE TO ELIGIBLE PROPERTY OWNERS CONDUCTING VOLUNTARY CLEANUP, TO PROVIDE LIMITATIONS ON THE FINANCIAL ASSISTANCE, TO PROVIDE FOR THE DEVELOPMENT OF ANNUAL PRIORITY LISTS FOR COMMUNITY REVITALIZATION PROJECTS BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY, TO PROVIDE FOR COMMUNITY INVESTMENT REBATE REQUESTS, REVIEWS AND CERTIFICATIONS AND TO PROHIBIT ELIGIBLE PROPERTY OWNERS THAT RECEIVE COMMUNITY INVESTMENT REBATES FROM RECEIVING A SPECIFIED PROPERTY TAX EXEMPTION; AND PROVIDING A CONTINGENT SUNSET DATE.

**H 725, H 726, H 727, and H 728** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1270, S 1334, S 1345, and S 1363**, by Commerce and Human Resources Committee, were introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

**S 1336 and S 1312**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**S 1355 and S 1365**, by State Affairs Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

**S 1370**, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

**S 1295**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

**S 1360**, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

**S 1348 and S 1347**, by Transportation Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

**S 1362 and S 1375**, by Commerce and Human Resources Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**HCR 46, H 708, H 590, and H 621**, by State Affairs Committee, were read the second time by title and filed for third

reading.

**HJM 13**, by Education Committee, was read the second time by title and filed for third reading.

**H 475** and **H 688**, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

**H 551**, **H 584**, and **H 587**, by Business Committee, were read the second time by title and filed for third reading.

**HCR 36**, **HCR 37**, **H 636**, **H 546**, **H 637**, and **HJM 14**, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

**H 583**, **H 632**, and **H 633**, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mrs. Ellsworth asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Session. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that **H 548** retain its place on the Third Reading Calendar. There being no objection, it was so ordered.

**H 432** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **H 432** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bedke, Black, Brackett, Field(23), Henbest, Skippen, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 432** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 647** was read the third time at length, section by section,

and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett and Mrs. Pasley-Stuart to open debate.

The question being, "Shall **H 647** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Black, Brackett, Field(23), Sali, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 647** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 458** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **H 458** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 65.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Black, Brackett, Field(23), Wood. Total -- 4.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 458** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 459** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 459** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Black, Block, Brackett, Deal, Field(23), Sali, Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 459** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 461** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 461** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Black, Brackett, Deal, Field(23), Sali, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 461** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 473** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Saylor to open debate.

The question being, "Shall **H 473** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- Hart, Harwood, Loertscher. Total -- 3.

Absent and excused -- Black, Brackett, Deal, Field(23), Wood. Total -- 5.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 473** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 606** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bilbao to open debate.

The question being, "Shall **H 606** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bilbao, Block, Boe, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Trail, Wills, Mr. Speaker. Total -- 50.

NAYS -- Bayer, Bedke, Bell, Bolz, Clark, Crow, Harwood, Lake, Mathews, McGeachin, Moyle, Roberts, Rusche, Smith(24), Stevenson. Total -- 15.

Absent and excused -- Black, Brackett, Field(23), Sali, Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 606** passed the House. Title was approved and the bill was ordered transmitted to the

Senate.

**H 659** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall **H 659** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Black, Brackett, Field(23), Lake, Sali, Smith(24), Wood. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 659** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **S 1264** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

**H 575** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 575** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Loertscher, Shepherd(8). Total -- 2.

Absent and excused -- Black, Brackett, Field(23), Nonini, Ring, Smith(24), Wood. Total -- 7.

Paired Vote:

AYE -- Sali.

NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 575** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 490** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 490** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Brackett, Field(23), Roberts, Sali, Smith(24), Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 490** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 493** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Pence to open debate.

The question being, "Shall **H 493** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Brackett, Clark, Deal, Field(23), Harwood, Sali, Smith(24), Wood. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 493** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 499** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ring to open debate.

The question being, "Shall **H 499** pass?"

Roll call resulted as follows:

AYES -- Bell, Bilbao, Black, Boe, Bradford, Cannon, Deal, Field(18), Garrett, McGeachin, Miller, Pence, Ring, Sali, Shepherd(8), Shirley, Skippen, Snodgrass. Total -- 18.

NAYS -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Block, Bolz, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McKague, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Raybould, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Smith(30), Smith(24), Smylie(Luker), Stevenson, Trail, Wills, Mr. Speaker. Total -- 49.

Absent and excused -- Brackett, Field(23), Wood. Total -- 3.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 499** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

Mr. Denney moved that the House recess until 1 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

## RECESS

### Afternoon Session

The House reconvened at 1 p.m., Mr. Denney in the Chair.

Roll call showed 66 members present.

Absent and excused -- Brackett, Field (23), Sali, Wood. Total -- 4.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

## Third Reading of Bills and Joint Resolutions

**H 548**, having previously been read the third time at length, was placed before the House for final consideration.

The question being, "Shall **H 548** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Sayler, Schaefer, Shepherd(2), Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills. Total -- 51.

NAYS -- Barrett, Clark, Hart, Harwood, Loertscher, Mathews, McGeachin, McKague, Nielsen, Roberts, Rydalch, Sali, Shepherd(8). Total -- 13.

Absent and excused -- Brackett, Crow, Field(23), Shirley, Wood, Mr. Speaker. Total -- 6.

Paired Vote:

AYE -- Miller. NAY -- Sali.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 548** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 564** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nielsen to open debate.

The question being, "Shall **H 564** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills. Total -- 65.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Brackett, Field(23), Wood, Mr. Speaker. Total -- 4.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 564** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 566** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Rusche to open debate.

The question being, "Shall **H 566** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills. Total -- 62.

NAYS -- Barrett, McKague, Moyle, Sali. Total -- 4.

Absent and excused -- Brackett, Field(23), Wood, Mr. Speaker. Total -- 4.

Paired Vote:

AYE -- Loertscher. NAY -- Sali.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 566** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 555** be moved to the top of the Third Reading Calendar and retain its place for one Legislative Day. There being no objection, it was so ordered.

**HCR 32** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail to open debate.

The question being, "Shall **HCR 32** be adopted?"

Whereupon the Speaker Pro Tem declared **HCR 32** adopted by voice vote and ordered the resolution transmitted to the Senate.

**HCR 33** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Trail and Mr. Nielsen to open debate.

The question being, "Shall **HCR 33** be adopted?"

Whereupon the Speaker Pro Tem declared **HCR 33** adopted by voice vote and ordered the resolution transmitted to the Senate.

**H 444**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. McKague to open debate.

The question being, "Shall **H 444**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills. Total -- 63.

NAYS -- None.

Absent and excused -- Barraclough, Brackett, Deal, Field(23), Sali, Wood, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 444**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 589**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Ring to open debate.

The question being, "Shall **H 589**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Barraclough, Brackett, Denney, Field(23), Sali, Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 589**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 544** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Raybould

to open debate.

The question being, "Shall **H 544** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Raybould, Ring, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- LeFavour, Pence, Ringo, Smylie(Luker). Total -- 4.

Absent and excused -- Brackett, Field(23), Sali, Shepherd(8), Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 544** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 576** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson to open debate.

At this time, the Speaker took the Chair.

The question being, "Shall **H 576** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie(Luker), Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Bedke, Brackett, Field(23), Schaefer, Wood. Total -- 5.

Paired Vote:

AYE -- Sali. NAY -- Loertscher.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 576** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Friday, February 24, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:06 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk